

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**v.**

**BRUCE W. SPINNEY, III**

**Defendant.**

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**Case No. 24-cr-40016-MRG**

**SECOND INTERIM STATUS REPORT**

The United States respectfully submit the following Status Report pursuant to Local Rules 116.5(a) for the Second Interim Status Conference scheduled for Friday, October 18, 2024, at 9:30 a.m. Based on the following, the government respectfully submit that the Court should cancel the Second Interim Status Conference and schedule a Final Status Conference in approximately 60 days in December 2024.

**Overview of the Case**

1. The indictment was returned on June 6, 2024, and charges defendant BRUCE W. SPINNEY III with three counts of wire fraud, in violation of 18 U.S.C. § 1343, and one count of conducting an unlawful monetary transaction, in violation of 18 U.S.C. § 1957. The indictment alleges a scheme to defraud investors in the defendant's marijuana dispensary business in Grafton and Mendon, Massachusetts.

2. The defendant made his initial appearance on the indictment before this Court on June 7, 2024. The defendant is not in custody and is on conditions of pre-trial release.

**Status of Automatic Discovery**

3. The Government made an initial production of documents on June 21, 2024, and completed automatic discovery by June 26, 2024. There were some technical issues with the discovery, but those have now been resolved. The discovery is voluminous and includes thousands

of pages of bank and financial records as well as emails from grand jury subpoenas and search warrant. On September 4, 2024, the government produced 26 additional pages of automatic discovery.

4. There are no outstanding discovery requests.

**Timing of Additional Discovery to be Produced**

5. Automatic Discovery under LR 116.1(c)(1) is now complete.

**Timing of Additional Discovery Requests**

6. The government anticipates that new counsel for the defendant will need additional time to determine whether any written discovery requests will be necessary.

**Protective Orders**

7. A protective order was entered by the Court on June 21, 2024.

**Timing of Pre-Trial Motions**

8. The government submits that new counsel for the defendant will need additional time and it is still in the process of reviewing discovery that it is still too soon to determine whether any pre-trial motions will be necessary.

**Timing of Expert Witness Disclosures**

9. Per the court's order, the government will submit any expert disclosures under Rule 16 of the Federal Rules of Criminal Procedure 35 days before trial, and the defendant, 21 days before trial.

**Periods of Excludable Delay under the Speedy Trial Act**

10. The parties submit that the following periods of time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, should be excluded in the interests of justice:

- a. The period from the initial appearance and arraignment on June 7, 2024, until the initial status conference scheduled for July 19, 2024; and

- b. The period from July 19, 2024, until the interim status conference on September 19, 2024;
- c. The period from September 19, 2024, to October 18, 2024; and
- d. The period of October 18, 2024, until the final status conference to enable the defendant to review discovery.

**Timing for Further Status Conference**

11. The government submits that the court should set a final status conference in December 2024, or in approximately 60 days. The defendant reserves the right to seek additional time and continue the final status conference to review discovery and/or seek additional discovery.

12. Undersigned counsel has shared a copy of this status report with counsel of record for the defendant who joins in the report.

Respectfully submitted,

JOSHUA S. LEVY  
Acting United States Attorney

By: /s/ Neil Gallagher  
Neil J. Gallagher, Jr.  
Assistant U.S. Attorney

Date Submitted: October 15, 2024

**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Neil J. Gallagher, Jr.  
Neil J. Gallagher, Jr.